

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**IN RE FAMILY DOLLAR FLSA  
LITIGATION**

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*Concerning Grace v. Family Dollar Stores,  
Inc., No. 3:06cv-306; Ward v. Family  
Dollar Stores, Inc., No. 3:06-cv-441*

**MDL DOCKET NO: 3:08-MD-1932  
Judge Graham C. Mullen**

**ORDER**

This matter was before the Court on Plaintiffs' request for a telephone conference. The Court, having heard the Parties' positions on the issues raised, hereby rules as follows:

1. The deadline for Plaintiffs to respond to all outstanding Motions for Summary Judgment filed by Defendant is extended. Plaintiffs' response briefs are now due fourteen (14) days after the depositions of Family Dollar Company witnesses, the last of which are scheduled for the week of August 24, have been concluded.

2. All of Plaintiffs' pending Rule 56(f) motions are moot. To the extent that the Court has denied any of Plaintiffs' Rule 56(f) motions, and Plaintiffs' have not yet filed their response briefs, the deadlines for those response briefs are extended pursuant to Paragraph 1 of this Order.

3. The Company witness deposition schedule for the week of August 17, 2009 in Charlotte has been set, agreed to by the parties, and previously submitted to the Court. It shall not be re-done, changed or added to, unless agreed to by all parties. The Plaintiffs 30 (b)(6) depositions scheduled for August 21 and the week of August 24, 2009; also may not be added to; however, those depositions are the subject of a pending motion for protective order filed by the Defendant. (Doc. 269), the briefing of which is not complete as of this order.

IT IS SO ORDERED.

Signed: August 10, 2009

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

